

Art Unit: 1652

Group I-III are different chemical compounds, having different chemical structure, although they may contain the same domains. Thus they are different products. It is unclear to the examiner which parerental application the Applicants are referring to in their traversal. The only utility application to which the priority is claimed is US application 09/430/656. This application, however, does not disclose the subject matter of the instant claims. In summary, the restriction as requested, is proper and made FINAL. Elected claims 10, 13-17 in part directed to a 3-domain biosensor comprising SEQ ID NO: 44, 118 and 150 are under examination. Claims 10-17 and 24-31 directed to other species and inventions are withdrawn from form examiner's consideration as being drawn to the non-elected invention; see 37 CFR 1.142(b).

2. Objections

2.1. Priority

Applicants claim of priority to the provisional applications 60/136,078, filed May 26, 1999 and 60/106,308 filed October 30, 1998 is acknowledged. The priority to the provisional applications is granted. However, the priority to US applications 09/430,656 filed October 29, 1999, 08/031,271 filed according to Applicants Feb. 27, 1998 and to application 08/810,983 (patent 5, 989,835) filed Feb. 29, 1997 is not granted because these application do not disclose the subject matter claimed in the instant application. The application 08/031,271 filed according to Applicants Feb. 27, 1998 is filed by others in 1993 and entitled "Automatically latched safety syringe". The application 08/810,983 (patent 5, 989,835) filed Feb.9, 1997 is by the other inventive entity (Terry D. and